

REMARKS

Claims 1-20 are pending in this Application. Applicant has amended claims 1-7 to define the claimed invention more particularly. Applicant has added new claims 9-20 to claim additional features of the invention and provide varied protection for the invention.

Applicant concurrently files herewith a petition (and fee) for one-month extension of time. It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-8 stand rejected under 35 U.S.C. §102(e) as being anticipated by Kung et al. (U.S. Patent No. 7,075,918).

Applicant respectfully traverses this rejection in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention (e.g., as defined by exemplary claim 1) is directed to an Internet protocol private branch exchange (IPPBX).

The Internet protocol private branch exchange includes a software-based built-in control unit, at least one card slot into which a control card is plugged, and a data bus connecting the software-based built-in control unit and the card slot. The software-based built-in control unit includes a first management unit managing up to a first number of Internet Protocol terminals, and an Internet protocol terminal registering unit connected to the first management unit and the card slot. The control card includes a second management unit managing up to a second number of Internet protocol terminals. The Internet protocol terminal registering unit compares a current number of Internet protocol terminals managed by one of the first management unit and the second management unit with corresponding one of the first number and the second number when an Internet protocol terminal requests communication, the Internet protocol terminal having an identification number and an Internet protocol address. If the current number is smaller than the one number, the Internet protocol terminal registering unit associates the one management unit with the identification number and the Internet protocol address, and the one management unit manages the Internet

protocol terminal. If the current number is equal to the one number, the Internet protocol terminal registering unit associates another of the first management unit and the second management unit with the identification number and the Internet protocol address, and the another management unit manages the Internet protocol terminal.

In a conventional Internet protocol private branch exchange, as described in the Background of the present Application, there are two methods to achieve the management of the Internet Protocol terminals. The two methods include a "card mode" and a "built-in software mode". In an Internet protocol private branch exchange system for the "card mode", an Internet Protocol terminal control card plugged into a card slot manages the Internet Protocol terminals.

However, it is impossible to merely combine an Internet protocol private branch exchange system for the "card mode" with an Internet protocol private branch exchange system for the "built-in software mode", because there is no way to specify the Internet Protocol terminal management unit for the "built-in software mode". Also, when trying to expand Internet protocol phones in an Internet protocol private branch exchange system for the "built-in software mode" and the number of the Internet protocol phones being larger than the capacity of the Internet protocol terminal management unit, an Internet protocol private branch exchange system for the "card mode" must be introduced in place of the Internet protocol private branch exchange system for the "built-in software mode" (e.g., see Application at page 4, lines 2-15).

The claimed invention, however, provides an Internet protocol private branch exchange, an Internet protocol private branch exchange system, and an Internet protocol terminal control program which can support both a card mode and a built-in software mode (e.g., see Application at page 4, lines 22-25).

This feature is important because the Internet protocol private branch exchange has Internet protocol terminal control cards which manage the expanded Internet protocol phones, as well as the Internet protocol phones originally managed by the Internet protocol terminal management unit for the built-in software mode (e.g., see Application at page 4, lines 15-19).

II. THE PRIOR ART REJECTION

The Examiner alleges that Kung et al. teach the claimed invention of claims 1-8.

Applicant respectfully submits, however, that the alleged reference does not teach or suggest each and every feature of the claimed invention.

That is, Kung et al. do not teach or suggest, “*at least one card slot into which a control card is plugged*” and “*an Internet protocol terminal registering unit connected to said first management unit and said card slot, wherein said control card includes a second management unit managing up to a second number of Internet protocol terminals,*” as recited in claim 1, and similarly recited in claims 4 and 8.

In rejecting claims 1, 4, and 8, the Examiner alleges that Kung et al. disclose, “at least one card slot into which a control card is plugged; and a data bus connecting said software-based built-in control unit and said card slot (col. 17, line 45 – col. 18, line 49)” (emphasis added by Applicant) (e.g., see Office Action at page 2, lines 16-18), and “*wherein said control card includes a second management unit managing up to a second number of IP terminals (col. 21, line 57 – col. 22, line 46)*” (e.g., see Office Action at page 2, lines 20-22). The Examiner relies on columns 17 and 18 of Kung et al. for the teachings of at least one card slot into which a control card is plugged. Applicant submits, however, that Kung et al. do not teach or suggest this feature.

Kung et al., in columns 17 and 18, disclose a broadband residential gateway that uses a credit card/smart card interface module for providing a secure processing function (col. 18, lines 25-29). Kung et al. are silent about a card slot into which a control card is plugged. Indeed, the only card slots that Kung et al. teach are field-upgradable card slots for permitting memory expansion (col. 21, lines 42-44). The credit card, smart card, and memory expansion cards of Kung et al. differ from the card slot of the claimed invention which is a control card that “*includes a second management unit managing up to a second number of Internet protocol terminals,*” as recited in claim 1, and similarly recited in claims 4 and 8.

The control card of the claimed invention manages Internet protocol terminals, but the credit card, smart card, and memory expansion cards of Kung et al. secure a processing function or expand the memory of a broadband residential gateway and are unable to manage an Internet protocol terminal. In other words, the claimed invention recited two distinct management units for managing the IP terminals. The first management unit is provided within the built-in control unit, and the second management unit is incorporated in a control card, which connects to the IPPBX unit through a card slot.

Therefore, instead of teaching or suggesting, “*at least one card slot into which a control card is plugged... wherein said control card includes a second management unit managing up to a second number of Internet protocol terminals,*” as recited in claim 1, and similarly recited in claims 4 and 8, Kung et al. disclose a credit card, a smart card, and memory expansion cards, which do not include a management unit. Therefore, Kung et al. do not teach or suggest this feature.

Furthermore, in rejecting claims 1, 4, and 8, the Examiner alleges that Kung et al. disclose, “*an IP terminal registering unit connected to said first management unit and said card slot (col. 21, line 57 – col. 22, line 46)*” (e.g., see Office Action at page 2, lines 20-22). The Examiner relied on columns 21 and 22 of Kung et al. for the teachings of an Internet protocol terminal registering unit. Applicant submits, however, that Kung et al. do not teach or suggest this feature.

Kung et al. in columns 17 and 18 disclose a broadband residential gateway that merely uses a software-based built-in control unit (col. 22, lines 5-25). Kung et al., however, are silent about an Internet Protocol terminal registering unit. Indeed, as set forth above, Kung et al. do not teach or suggest using a control card slot as a second management unit which would necessitate use of an Internet protocol terminal registering unit.

Thus, instead of teaching or suggesting, “*an Internet Protocol terminal registering unit connected to said first management unit and said card slot,*” as recited in claim 1, and similarly recited in claims 4 and 8, Kung et al. merely teach a software-based built-in control unit (Fig. 1), which lacks the teaching of an Internet Protocol terminal registering unit. Indeed, the broadband residential gateway system of Kung et al. merely uses a software-based built-in control unit and does not need an Internet Protocol terminal registering unit that is connected to a card slot, since the card slot is missing from the teachings of Kung et al., as set forth above. Therefore, Kung et al. do not teach or suggest this feature.

Moreover, the Examiner’s rejection merely recites Applicant’s claim language with vague references to Kung et al. (e.g., see Office Action at page 2, line 22 – page 3, line 6). The Examiner, however, has not explained how Kung et al. apply to each and every feature of the claimed invention. Applicant requests the Examiner to provide an explanation of how the teachings of Kung et al. apply to each and every feature of the claimed invention. That is, specifically point out the features of Kung et al. (including reference number and specific

passage) that the Examiner is analogizing to the features of the claimed invention.

Therefore, the Applicant respectfully submits that Kung et al. fail to teach or suggest each element of Applicant's claimed invention. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. NEW CLAIMS

New claims 9-20 have been added to claim additional features of the invention and to provide more varied protection for the claimed invention. The claims are independently patentable because of the novel features recited herein.

Applicant submits that new claims 9-20 are patentable at least because of similar reasons to those set forth above with respect to claims 1-8.

IV. STATEMENT OF SUBSTANCE OF THE INTERVIEW

As a preliminary matter, Applicant's representative would like to thank the Examiner for courtesies extended in the interview conducted on January 23, 2008.

In the interview, the following was discussed:

A. Identification of claims discussed:

Claims 1-8.

B. Identification of prior art discussed:

Kung et al. (U.S. Patent No. 7,075,918).

C. Identification of principal proposed amendments:

None.

D. Brief Identification of principal arguments:

Applicant's representative discussed the Examiner's claim rejection. Applicant's representative also described the device in Kung et al., and argued that Kung et al. do not teach or suggest the claimed invention.

Regarding the Examiner's claim rejection, Applicant's representative described that

Kung et al., fail to teach or suggest, “a software-based built-in control unit; at least one card slot into which a control card is plugged; and a data bus connecting said software-based built-in control unit and said card slot, wherein said software-based built-in control unit includes: a first management unit managing up to a first number of Internet protocol terminals; and an Internet protocol terminal registering unit connected to said first management unit and said card slot, wherein said control card includes a second management unit managing up to a second number of Internet protocol terminals, wherein said Internet protocol terminal registering unit compares a current number of Internet protocol terminals managed by one of said first management unit and said second management unit with a corresponding one of said first number and said second number when an Internet protocol terminal requests communication, said Internet protocol terminal having an identification number and an Internet protocol address, wherein, if said current number is smaller than said one number, said Internet protocol terminal registering unit associates said one management unit with said identification number and said Internet protocol address, and said one management unit manages said Internet protocol terminal, and wherein, if said current number is equal to said one number, said Internet protocol terminal registering unit associates another of said first management unit and said second management unit with said identification number and said Internet protocol address, and said another management unit manages said Internet protocol terminal.” (emphasis added by Applicant) as recited in claim 1, and similarly recited in claims 4 and 8.

Applicants’ representative argued that it is unreasonable to attempt to equate the credit card slot of Kung et al. with the card slot of the claimed invention, into which a control card is plugged, wherein the control card includes a second management unit managing up to a second number of IP terminals.

Furthermore, Applicant’s representative pointed out that the reference fails to disclose or suggest, the terminal registering unit and its function as defined in claim 1, and similarly defined in claims 4 and 8.

E. Results of the Interview:

In response to the arguments presented, the Examiner agreed to withdraw his claim rejection. The Examiner also accepted the arguments regarding lack of the registering unit

and its function in teachings of the Kung et al., and agreed that in the event any new more relevant prior art is found, any subsequent rejection will be Non-final.

In response to the arguments presented regarding the first and the second management units and the slot card for the control card, the Examiner indicated that element 310 in Fig. 3 of Kung et al. can represent the first management unit and element 316 can be considered as the second management unit.

Applicant's representative disagreed with the Examiner and pointed out that the claimed invention recites that the first management unit is provided within the built-in control unit, and the second management unit is incorporated in a control card, which connects to the IPPBX unit through a card slot. In stark contrast, both alleged management units 310 and 316 of Kung et al. are located on a broadband residential gateway 300 and the reference fails to disclose or suggest to incorporate of the management units as a built-in unit and to provide the second management unit that is included in a control card via a card slot.

F. Conclusion:

The Examiner agreed that the arguments presented were persuasive. The Examiner stated that she would review the Amendment that will be filed in view of the arguments made at the interview.

V. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-20, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Serial No. 10/822,733
Docket No. 04USFP962-T.T.

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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Farhad Shir

Farhad Shir, Ph.D.
Registration No. 59,403

Sean M. McGinn, Esq.
Registration No. 34,386

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182-3817
(703) 761-4100
Customer No. 21254